REMARKS

Status of the Claims

- Claims 1-24 are pending in the Application after entry of this amendment.
- Claims 1-24 stand rejected.
- Claims 1, 12, 13 and 24 are currently amended by Applicants.

Allowable Subject Matter

The Examiner states that Claims 5-7, 10 and 12 would be allowable subject matter if rewritten to overcome the 35 U.S.C. §112, 2nd paragraph rejection. Applicants thank the Examiner for the identification of allowable subject matter and address the 35 U.S.C. §112 rejection as well as the base claim rejection below.

Claim Rejection Pursuant to 35 U.S.C. §112, Second Paragraph

Claims 1-24 are rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as his invention. Specifically, Claims 1, 12, 13 and 24 stand rejected because of the use of the term "substantially".

In an earnest effort to clarify Claims 1, 12, 13 and 24 and overcome the present rejection, Applicants have amended those claims to recite "a second plurality of bars approximately orthogonal to the first plurality of bars". The specification of the present application places no requirement that the second plurality of bars be perfectly orthogonal to the first plurality of bars.

Applicants submit that amended Claims 1, 12, 13 and 24 overcomes the 35 U.S.C. §112, second paragraph rejection for indefiniteness by describing the relationship of the second plurality of bars to the first plurality of bars as exemplified by Figure 4 of the specification. Applicants request reconsideration and withdrawal of the 35 U.S.C. 112 second paragraph rejection for Claims 1, 12, 13 and 24.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1, 9 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2001/0012990 to Zimmerman et al. in view of U.S. Patent No. 6,611,495 to Meyer et al. Applicants respectfully traverse the 35 U.S.C. §103(a) rejection.

Zimmerman et al. discloses a method for modeling a multiprocol layered transmission network. (Zimmerman, paragraph 0003). Zimmerman et al. also discloses that the model includes identified association links which connect logical links in the separated layer depiction of Figure 4 (Zimmerman, Figure 4, paragraph 0022).

Meyer et al. teaches a retransmission based error recovery procedure that facilitates improved data transfer rates in comparison to known retransmission timer error recovery procedures. Meyer et al. further teaches improvements in data transfer rates by reducing the probability of unnecessary timeouts at a sender node. (Mayer et al. col. 3 lines 1-15.) The background section of Meyer et al. reviews a prior art an OSI model, typically represented by a multi-layered protocol stack. (Meyer et al. col. 1, lines 40-45).

The Examiner states that Meyer et al teaches a method of displaying computing layers in a stacked relationship with the plurality of computing systems orthogonal to the corresponding layers implemented by the system (Meyer, Fig. 1, systems 22a and 22b). The Applicants respectfully disagree. Applicants submit that Figure 1 of Meyer et al. does not show any stacked relationship or any stacked orthogonal relationships. Meyer et al. does not teach displaying a first plurality of bars in stacked relationship as recited in amended Claim 1. In addition, Meyer et al. does not teach the limitation of a second plurality of bars extending through a portion of the first plurality of bars an amount corresponding to the identified at least one of the computing layers as recited in amended Claim 1.

Concerning Claim 9, the Examiner states that Meyer et al. teaches displaying a first plurality of bars, from top to bottom, a horizontal bar for each of a presentation layer, a business logic layer, a data layer, and an infrastructure layer (Mayer, Fig. 1 col. 1 lines 40-63). Applicants respectfully disagree because Applicants are unable to identify all of the features recited in Claim 9 in Figure 1 of Meyer et al.

Concerning Claim 11, the Examiner states that Meyer et al. teaches displaying a conduit within one of the first plurality of bars, the conduit representing communication links between computing systems (Meyer, Fig. 1, 24). Applicants respectfully disagree because Applicants are unable to identify a conduit *within* a first plurality of bars. Meyer et al. in Figure 1 does not show a conduit *within* a first plurality of bars. Meyer et al. does show an *external* cloud connection (Fig. 1, 24) between vertically disposed software protocol stacks in different computers. However, Meyer does not show a conduit *within* a first plurality of bars as recited in Claim 11.

For the above reasons, Applicants respectfully submit that neither Zimmerman et al. nor Meyer et al., either alone or in combination, teach or suggest at least the features of (1) displaying a first plurality of bars in stacked relationship to each other, or (2) displaying a second plurality of bars approximately orthogonal to the first plurality of bars, or (3) each of the second plurality of bars extending through a portion of the first plurality of bars an amount corresponding to the identified at least one of the computing layers as recited in amended Claim 1.

In addition, Applicants respectfully submit that neither Zimmerman et al. nor Meyer et al., either alone or in combination, teach or suggest displaying, from top to bottom, a horizontal bar for each of a presentation layer, a business logic layer, a data layer, and an infrastructure layer as recited in Claim 9.

In addition, Applicants respectfully submit that neither Zimmerman et al. nor Meyer et al., either alone or in combination, teach or suggest displaying a conduit within one of the first plurality of bars, the conduit representing communication links between computing systems as recited in Claim 11.

Accordingly, Applicants respectfully submit that a prima facie case of obviousness has not be made with respect to Claims 1, 9 and 11 because all of the elements are not represented in the cited references. Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of Claims 1, 9 and 11 because the claims patentably define over the cited references.

Claims 2, 3, 4 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2001/0012990 to Zimmerman et al. in view of U.S. Patent No. 6,611,495 to Meyer et al and in further view of US. Patent Publication No. 2001/0054035
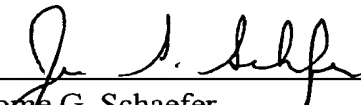
to Lee, in view of U.S. Pat. No. 6,208,345 to Sheard et al., in view of U.S. pat no. 5,426,422

to Vanden Huevel et al., and in view of U.S. Pat No. 5,249,296 to Tanaka respectively.

Applicants respectfully traverse the 35 U.S.C. §103(a) rejections because Claims 2, 3, 4 and 8

are dependent on amended Claim 1 which patentably defines over the cited art. Accordingly,

Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §103(a)

rejections of Claims 2, 3, 4 and 8.

Conclusion

In view of the above remarks, Applicants respectfully submit that Claims 1-24 of the

present application patentably define over the cited art. Reconsideration, withdrawal of the

rejections and advancement towards a Notice of Allowance are earnestly requested.

Respectfully submitted,

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Jerome G. Schaefer
Registration No. 50,800

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439